

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

EXHAUST HEAT EXCHANGER IN PARTICULAR FOR MOTOR VEHICLES

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(Attorney Docket No. 016906-0346)

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the specification of which (check one)

is attached hereto.

was filed on April 11, 2003 as United States Application Number or PCT International Application Number PCT/EP03/03769 and was amended on \_\_\_\_\_ (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with

which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
102 18 521.2	Federal Republic of Germany	25 April 2002	YES	

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number


I HEREBY APPOINT the registered attorneys and agents at Customer Number

**22428**

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Richard L. Schwaab  
FOLEY & LARDNER LLP  
Customer Number: 22428

Telephone: (202) 672-5414  
Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1 - 00 Name of first inventor Winfried JUSCHKA  
Residence Stuttgart, Federal Republic of Germany D&X  
Citizenship Federal Republic of Germany  
Post Office Address Gutenbergstrasse 89  
70197 Stuttgart  
Federal Republic of Germany  
Inventor's signature W. Juschka  
Date 3.9.2004

2 - -- Name of second inventor Rainer LUTZ

Residence Steinheim Bietigheim, Federal Republic of Germany

Citizenship Federal Republic of Germany

Post Office Address Teckstrasse 33 In der Gartensiedlung 29  
73266 Bietigheim 71711 Steinheim

Inventor's signature R. Lutz geändert 6.9.2004

Date 6.9.2004 R. Lutz

**Declaration and Power of Attorney For Patent Application  
Erklärung Für Patentanmeldungen Mit Vollmacht  
German Language Declaration**

**Als nachstehend benannter Erfinder erkläre ich hiermit an  
Eides Statt:**

**As a below named inventor, I hereby declare that:**

dass mein Wohnsitz, meine Postanschrift, und meine Staatsangehörigkeit den im Nachstehenden nach meinem Namen aufgeführten Angaben entsprechen,

**My residence, post office address and citizenship are as stated below next to my name.**

dass ich, nach bestem Wissen der ursprüngliche, erste und alleinige Erfinder (falls nachstehend nur ein Name angegeben ist) oder ein ursprünglicher, erster und Miterfinder (falls nachstehend mehrere Namen aufgeführt sind) des Gegenstandes bin, für den dieser Antrag gestellt wird und für den ein Patent beantragt wird für die Erfindung mit dem Titel:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

# **EXHAUST HEAT EXCHANGER IN PARTICULAR FOR MOTOR VEHICLES**

# **EXHAUST HEAT EXCHANGER IN PARTICULAR FOR MOTOR VEHICLES**

### **deren Beschreibung**

the specification of which

(zutreffendes ankreuzen)

(check one)

hier beigelegt ist.

is attached hereto.

☒ am April 11, 2003 unter der

was filed on April 11, 2003 as

Anmeldungsseriennummer PCT/EP03/03769

Application Serial No. PCT/EP03/03769

eingereicht wurde und am abgeändert wurde

and was amended on

Ich bestätige hiermit, dass ich den Inhalt der obigen Patentanmeldung einschliesslich der Ansprüche durchgesehen und verstanden habe, die eventuell durch einen Zusatzantrag wie oben erwähnt abgeändert wurde.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

Ich erkenne meine Pflicht zur Offenbarung irgendwelcher Informationen, die für die Prüfung der vorliegenden Anmeldung in Einklang mit Absatz 37, Bundesgesetzbuch, Paragraph 1.56(a) von Wichtigkeit sind, an.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Ich beanspruche hiermit ausländische Prioritätsvorteile gemäss Abschnitt 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 119 aller unten angegebenen Auslandsanmeldungen für ein Patent oder eine Erfindersurkunde, und habe auch alle Auslandsanmeldungen für ein Patent oder eine Erfindersurkunde nachstehend gekennzeichnet, die ein Anmelde datum haben, das vor dem Anmelde datum der Anmeldung liegt, für die Priorität beansprucht wird.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

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German Language Declaration**

**Prior foreign applications  
Priorität beansprucht**

102 18 521.2  
(Number)  
(Nummer)

Federal Republic of Germany  
(Country)  
(Land)

25 April 2002  
(Day/Month/Year Filed)  
(Tag/Monat/Jahr eingereicht)

### Priority Claimed

(Day/Month/Year Filed)  (Tag/Monat/Jahr eingereicht)

Yes       No  
 Ja       Nein

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(Day/Month/Year Filed)  
(Tag/Monat/Jahr eingereicht)

Yes No  
Ja Nein

Ich beanspruche hiermit Prioritätsvorteile unter Title 35, US-Code, § 119(e) aller US-Hilfsanmeldungen wie unten aufgezählt.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Serial No.)  
(Anmeldeseriennummer)

(Filing Date)  
(Anmeldedatum)

(Application Serial No.)  
(Anmeldeseriennummer)

(Filing Date)  
(Anmeldedatum)

Ich beanspruche hiermit gemäss Absatz 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 120, den Vorzug aller unten aufgeführten Anmeldungen und falls der Gegenstand aus jedem Anspruch dieser Anmeldung nicht in einer früheren amerikanischen Patentanmeldung laut dem ersten Paragraphen des Absatzes 35 der Zivilprozessordnung der Vereinigten Staaten, Paragraph 112 offenbart ist, erkenne ich gemäss Absatz 37, Bundesgesetzbuch, Paragraph 1.56(a) meine Pflicht zur Offenbarung von Informationen an, die zwischen dem Anmeldedatum der früheren Anmeldung und dem nationalen oder PCT internationalen Anmeldedatum dieser Anmeldung bekannt geworden sind.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)  
(Anmeldeseriennummer)

(Filing Date)  
(Anmeldedatum)

(Status)  
(patentiert, anhängig,  
aufgegeben)

(Status)  
nted, pending,  
abandoned)

(Application Serial No.)  
(Anmeldeseriennummer)

(Filing Date)  
(Anmeldedatum)

(Status)  
(patentiert, anhängig,  
aufgegeben)

(Status)  
patented, pending,  
abandoned)

Ich erkläre hiermit, dass alle von mir in der vorliegenden Erklärung gemachten Angaben nach meinem besten Wissen und Gewissen der vollen Wahrheit entsprechen, und dass ich diese eidesstattliche Erklärung in Kenntnis dessen abgebe, dass wissentlich und vorsätzlich falsche Angaben gemäss Paragraph 1001, Absatz 18 der Zivilprozessordnung der Vereinigten Staaten von Amerika mit Geldstrafe belegt und/oder Gefängnis bestraft werden koennen, und dass

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued

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derartig wissentlich und vorsätzlich falsche Angaben die Gültigkeit der vorliegenden Patentanmeldung oder eines darauf erteilten Patentes gefährden können.

**VERTRETUNGSVOLLMACHT:** Als benannter Erfinder beauftrage ich hiermit den nachstehend benannten Patentanwalt (oder die nachstehend benannten Patentanwälte) und/oder Patent-Agenten mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Geschäfte vor dem Patent-und Warenzeichenamt: (*Name und Registrationnummer anführen*): **CUSTOMER NO. 22428**

Pavan K. Agarwal, Reg. No. 40,888; George C. Beck, Reg. No. 38,072; Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; Beth A. Burrous, Reg. No. 35,087; Alan I. Cantor, Reg. No. 28,163; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Michael D. Kaminski, Reg. No. 32,094; Mary Michelle Kile, Reg. No. 35,217; Kenneth E. Krosin, Reg. No. 25,735; Glenn Law, Reg. No. 34,371; Peter G. Mack, Reg. No. 26,001; Stephen B. Maebius, Reg. No. 35,264; Brian J. McNamara, Reg. No. 32,789; Richard C. Peet, Reg. No. 35,792; George E. Quillin, Reg. No. 32,792; Andrew E. Rawlins, Reg. No. 34,702; Bernhard D. Saxe, Reg. No. 28,665; Richard L. Schwaab, Reg. No. 25,479; Michele M. Simkin, Reg. No. 34,717; Harold C. Wegner, Reg. No. 25,258.

Telefongespräche bitte richten an:

(*Name und Telefonnummer*)

RICHARD L. SCHWAAB (202) 672-5300

**CUSTOMER NO. 22428**

Postanschrift: **FOLEY & LARDNER LLP**  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5109  
**CUSTOMER NO. 22428**

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*List name and registration number*): **CUSTOMER NO. 22428**

Pavan K. Agarwal, Reg. No. 40,888; George C. Beck, Reg. No. 38,072; Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; Beth A. Burrous, Reg. No. 35,087; Alan I. Cantor, Reg. No. 28,163; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Michael D. Kaminski, Reg. No. 32,094; Mary Michelle Kile, Reg. No. 35,217; Kenneth E. Krosin, Reg. No. 25,735; Glenn Law, Reg. No. 34,371; Peter G. Mack, Reg. No. 26,001; Stephen B. Maebius, Reg. No. 35,264; Brian J. McNamara, Reg. No. 32,789; Richard C. Peet, Reg. No. 35,792; George E. Quillin, Reg. No. 32,792; Andrew E. Rawlins, Reg. No. 34,702; Bernhard D. Saxe, Reg. No. 28,665; Richard L. Schwaab, Reg. No. 25,479; Michele M. Simkin, Reg. No. 34,717; Harold C. Wegner, Reg. No. 25,258.

Direct Telephone calls to:

(*Name and telephone number*)

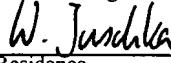
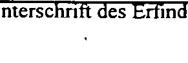
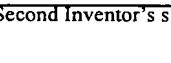
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Washington, D.C. 20007-5109

**CUSTOMER NO. 22428**

Voller Name des einzigen oder ursprünglichen Erfinders: <b>Winfried JUSCHKA</b>	Full name of sole or first inventor: <b>Winfried JUSCHKA</b>
Unterschrift des Erfinders 	Datum <b>3.9.2004</b>
Wohnsitz <b>Stuttgart, Federal Republic of Germany</b>	Inventor's signature 
Staatsangehörigkeit <b>Federal Republic of Germany</b>	Date <b>3.9.2004</b>
Postanschrift <b>Gutenbergstrasse 89, 70197 Stuttgart</b>	Residence <b>Stuttgart, Federal Republic of Germany</b>
<b>Federal Republic of Germany</b>	Citizenship <b>Federal Republic of Germany</b>
Gutenbergstrasse 89, 70197 Stuttgart <b>Federal Republic of Germany</b>	Post Office Address <b>Gutenbergstrasse 89, 70197 Stuttgart</b>
Voller Name des zweiten Miterfinders (falls zutreffend) <b>Rainer LUTZ</b>	Full name of second joint inventor, if any <b>Rainer LUTZ</b>
Unterschrift des Erfinders 	Second Inventor's signature 
Wohnsitz <b>Bietigheim, Federal Republic of Germany</b>	Date <b>Rainer LUTZ</b>
Staatsangehörigkeit <b>Federal Republic of Germany</b>	Residence <b>Bietigheim, Federal Republic of Germany</b>
Postanschrift <b>Teckstrasse 23, 73266 Bietigheim</b>	Citizenship <b>Federal Republic of Germany</b>
<b>Federal Republic of Germany</b>	Post Office Address <b>Teckstrasse 23, 73266 Bietigheim</b>
Teckstrasse 23, 73266 Bietigheim <b>Federal Republic of Germany</b>	<b>Federal Republic of Germany</b>

(Bitte entsprechende Informationen und Unterschriften im Falle von dritten und weiteren Miterfindern angeben.)

(Supply similar information and signature for third and subsequent joint inventors.)

**BEST AVAILABLE COPY**

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Erklärung Für Patentanmeldungen Mit Vollmacht  
German Language Declaration**

derartig wissentlich und vorsätzlich falsche Angaben die Gültigkeit der vorliegenden Patentanmeldung oder eines darauf erteilten Patentes gefährden können.

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**Registrationnummer anführen): CUSTOMER NO. 22428**

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(Name und Telefonnummer)

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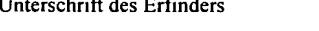
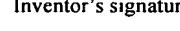
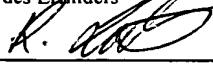
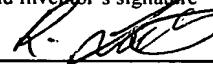
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(Name and telephone number)

RICHARD L. SCHWAAB (202) 672-5300

**CUSTOMER NO. 22428**

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3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5109  
**CUSTOMER NO. 22428**

Voller Name des einzigen oder ursprünglichen Erfinders: <b>Winfried JUSCHKA</b>		Full name of sole or first inventor: <b>Winfried JUSCHKA</b>	
Unterschrift des Erfinders 	Datum <i>6.9.2004</i>	Inventor's signature 	Date <i>6.9.2004</i>
Wohnsitz <b>Stuttgart, Federal Republic of Germany</b>	Residence <b>Stuttgart, Federal Republic of Germany</b>		
Staatsangehörigkeit <b>Federal Republic of Germany</b>	Citizenship <b>Federal Republic of Germany</b>		
Postanschrift <b>Gutenbergstrasse 89, 70197 Stuttgart Federal Republic of Germany</b>	Post Office Address <b>Gutenbergstrasse 89, 70197 Stuttgart Federal Republic of Germany</b>		
Voller Name des zweiten Miterfinders (falls zutreffend) <b>Rainer LUTZ</b>	Full name of second joint inventor, if any		
Unterschrift des Erfinders 	Datum <i>6.9.2004</i>	Second Inventor's signature 	Date <i>6.9.2004</i>
Wohnsitz <b>Steinheim Bietigheim, Federal Republic of Germany</b>	Residence <b>Steinheim Bietigheim, Federal Republic of Germany</b>		
Staatsangehörigkeit <b>Federal Republic of Germany</b>	Citizenship <b>Federal Republic of Germany</b>		
Postanschrift <b>In der Gartenstadt 28, 71711 Steinheim Teckstrasse 23, 73266 Bietigheim Federal Republic of Germany</b>	Post Office Address <b>In der Gartenstadt 28, 71711 Steinheim Teckstrasse 23, 73266 Bietigheim Federal Republic of Germany</b>		

(Bitte entsprechende Informationen und Unterschriften im Falle von dritten und weiteren Miterfindern angeben.)

*Adresse geändert.  
R. Lutz 6.9.2004*

(Supply similar information and signature for third and subsequent joint inventors.)